

Remarks

Claim 1-19 are pending in the application. Claim 1-19 are rejected. All objections and rejections are respectfully traversed.

Reference characters in Figure 2 and labeling in Figure 3 have been correct. A drawing amendment and replacement sheets are filed herewith.

Claim 7 has been amended to provide antecedent basis for “the environmental data.”

11. Claims 1-7, 9, 10, 12-16, 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen-Solal et al., U.S. Patent Number 6,873,710 B1 (hereinafter referred to as Cohen-Solal).

With respect to claim 10, claim 10 claim) the retail system of claim 1, in which the updating is based on sensed shopping patterns of the consumers.

The Examiner states:

Regarding Claim 10:

Cohen-Solal teaches the retail system of claim 1, in which the updating is based on sensed shopping patterns of the consumers (column 4, lines 62-67).

At column 4, Cohen-Solal describes:

audience attention evaluation process **800** evaluates the audio or video information, or both, to identify behavior that
65 suggests whether or not the audience is paying attention to the presented advertising or information, such as reading a newspaper, playing games, speaking, or facing the display.

Those of ordinary skill in the art would not consider paying attention to advertising, reading newspapers, playing games, speaking or facing the display as having anything to do with the claimed “shopping patterns.”

As claimed and describe the ‘shopping patterns’ are based on the trajectories of consumers in the retail environment, i.e., the ‘shopping patterns’ are quick, slow, directed, or random. Cohan-Solal does not anticipate the shopping patterns as claimed.

With respect to claim 16, claimed is the retail system of claim 1, in which the content modifies an appearance of the retail environment.

The Examiner states:

Regarding Claim 16:

Cohen-Solel teaches the retail system of claim 1, in which the content modifies an appearance of the retail environment (column 3, line 60 through column 4, line 5).

Changing display content, i.e. choosing one over the other is equivalent to modifying an appearance of the retail environment.

Applicants respectfully disagree. The content of an advertisement has nothing to do with the environment. The environment as described is the retail environment itself. As described, “[034] The appearance of the space (retail environment) can thus be modified by simply changing the currently playing content. For example, at one moment, the store can appear to be a sophisticated, wood-paneled contemplative area, and at the next moment, it can appear to be a graffiti-covered brick alley.

It is believed that this application is now in condition for allowance. A

notice to this effect is respectfully requested. Should further questions arise concerning this application, the Examiner is invited to call Applicant's agent at the number listed below. Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 50-0749.

Respectfully submitted,

Mitsubishi Electric Research Laboratories, Inc.

By

/Dirk Brinkman/

Dirk Brinkman
Attorney for the Assignee
Reg. No. 35,460

201 Broadway, 8th Floor
Cambridge, MA 02139
Telephone: (617) 621-7517
Customer No. 022199